IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.12703 of 2006

DATE OF DECISION: October 17,2006

Krishna Gill

….Petitioner

VERSUS

State of Punjab and others

…..Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S. BHALLA

PRESENT: Shri Sanjiv Bansal, Advocate for the petitioner.
Shri Sukhdip Singh Brar, Additional Advocate General, Punjab for respondents No.1 and 2.
Shri Sudhir Paruthi, Advocate for respondents No.3 and 4.

Viney Mittal,J.(Oral).

The petitioner is aggrieved against the inaction of the respondent Improvement Trust in not considering her claim for the allotment of 500 square yards plot in the reserved category of Pensioner at par with the case of respondent No.5 Soma Kumari, who according to the petitioner, has been allotted a plot No.631-B in 170 acres scheme.

Shri Sanjiv Bansal, the learned counsel appearing for the petitioner, at the outset, states that the petitioner, at this stage, would be satisfied if the present petition is disposed of with a direction to the Improvement Trust, Jalandhar to consider the claim of the petitioner. Shri Bansal points out that for the aforesaid purpose, the

petitioner has already served a legal notice (Annexure P.7) dated June 14, 2006 which remains unresponded so far.

In this view of the matter, without going into the merits of the claim made by the petitioner, we dispose of the present petition with a direction to the Improvement Trust, Jalandhar, respondent No.3 to take a final decision on the aforesaid legal notice (Annexure P.7) within a period of six months from the date a certified copy of this order is received, after affording an opportunity of hearing to the petitioner or her authorised representative and respondent No.5 or her authorised representative. We further make it clear that if any order adverse to the petitioner is passed by the Improvement Trust, the petitioner would be at liberty to seek her remedies to approach this Court yet again challenging the aforesaid order, including a challenge to the allotment made in favour of respondent No.5.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

October 17, 2006
KD

(H.S. Bhalla)
Judge